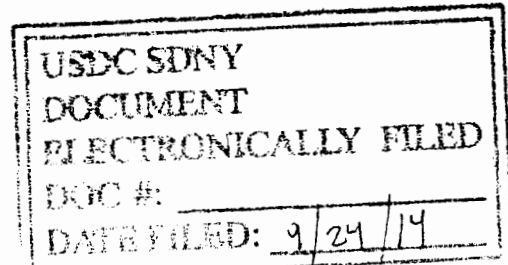


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**In Re: Methyl Tertiary Butyl Ether
("MTBE") Products Liability Litigation**

This document relates to:
*Commonwealth of Puerto Rico, et al. v. Shell
Oil, et al.*, Case No. 07-cv-10470

**Master File No. 1:00-1898
MDL 1358 (SAS)**



**STIPULATED ORDER OF DISMISSAL WITH PREJUDICE
OF CLAIMS FOR RECOVERY OF DAMAGES
WITH RESPECT TO DEFENDANT-SELECTED TRIAL SITES**

WHEREAS, Plaintiffs, the Commonwealth of Puerto Rico and the Commonwealth of Puerto Rico through the Puerto Rico Environmental Quality Board (collectively referred to as the "Commonwealth"), allege causes of action against Defendants in the above-captioned action in part for contamination from MTBE, TBA, and/or gasoline containing MTBE and/or TBA discharged, released, and/or leaked at the Maysonet Service Station and the Manati Municipal Garage and present at the Guayama Water Treatment Plant (collectively, "Defendant-Selected Trial Sites");

WHEREAS, Defendants selected these sites as Trial Sites for the first trial of the above-captioned action;

WHEREAS the Commonwealth agrees to dismiss with prejudice all claims and causes of action in the above-captioned action based upon MTBE, TBA and/or gasoline containing MTBE and/or TBA discharged, released, leaked and/or migrating from the Maysonet Service Station and the Manati Municipal Garage; and

WHEREAS, the Commonwealth agrees to dismiss with prejudice all claims and causes of action in the above-captioned action based upon MTBE, TBA, and/or gasoline containing MTBE and/or TBA contamination present in water at the Guayama Water Treatment Plant.

THEREFORE, IT IS STIPULATED AND AGREED that the Commonwealth hereby dismisses with prejudice all claims and causes of action against any and all Defendants for damages or other relief asserted, or that might have been asserted, based upon MTBE, TBA, and/or gasoline containing MTBE and/or TBA discharged, released, leaked and/or migrating from the Maysonet Service Station and the Manati Municipal Garage prior to the date of this stipulation;

IT IS FURTHER STIPULATED AND AGREED that the Commonwealth hereby dismisses with prejudice all claims and causes of action against any and all Defendants for damages or other relief asserted, or that might have been asserted, based upon contamination from MTBE, TBA, and/or gasoline containing MTBE and/or TBA at the Guayama Water Treatment Plant as a result of a discharge, release or leak of MTBE, TBA, and/or gasoline containing MTBE and/or TBA prior to the date of this stipulation;

IT IS FURTHER STIPULATED AND AGREED that the Maysonet Service Station, Manati Municipal Garage, and Guayama Water Treatment Plant sites will not be Trial Sites in the first trial of the above-captioned action or in any trial thereafter in the above captioned action;

IT IS FURTHER STIPULATED AND AGREED that the Commonwealth does not dismiss any claims against any Defendant with respect to any site or location in Puerto Rico other than those specifically identified in this stipulation; and

IT IS FURTHER STIPULATED AND AGREED that nothing herein impacts or changes the responsibility or obligation of any party under any regulatory authority of the Commonwealth with respect to contamination or operations at the Defendant-Selected Trial Sites.

By: s/ Nathan P. Short
John K. Dema
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On behalf of Plaintiffs

Dated: September 22, 2014

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On behalf of Defendants

Dated: September 22, 2014



SO ORDERED: _____
Hon. Shira A. Scheindlin
U.S.D.J.

DATE: 9/24/14